

Notice of Allowability

Application No.

10/630,782

Examiner

Raquel Y. Gordon

Applicant(s)

HUEGLE, AXEL

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to this application filed 7/31/2003.
2. ☒ The allowed claim(s) is/are 1-13.
3. ☒ The drawings filed on 31 July 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 1/12/22004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Raquel Y. Gordon
Primary Examiner
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Reasons for allowance

The following is a statement of reasons for allowance:

Upon further consideration, the inclusion of the claimed apparatus and method for an ink jet recorder, as claimed in the combination, is not found in the prior art. This difference is considered patentable over the prior art and reflects an improvement in the field of endeavor since the following apparatus and method claim limitations reflect an improvement in the field of endeavor and over the prior art of record:

1. A tachograph, comprising: a housing comprising walls defining at least an internal cavity and a top panel, a printing device located within said cavity and comprising a thermal print head and printing material, a transport roll located within said cavity and functionally associated via a force fit to said head such that said printing material is positioned between said transport roll and said head, said transport roll driven by a movement mechanism, a support located within said cavity for supporting said printing device, printing material, transport roll and movement mechanism, said support comprising means for extending said printing device out of said housing, and a support bridge for supporting said thermal print head, said support bridge being pivotably responsive to a spring action, fixed to said top panel.

The Examiner notes while Burkart (US006439903B1) teaches a similar invention, Burkart does not teach the claimed "support bridge for supporting said thermal print head." Burkart teaches a bridge 75 on which is mounted closing element 23 on two

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sides of the cardholder 20. The bridge is designed to provide support for a cover rather than support for a thermal printhead. The bridge disclosed by Burkart is designed to disclose a data card rather than a thermal printer (see col 4, lines 61-col 5, line 10).

Further, the Examiner notes while Lais (US006392677B1) teaches a similar invention, Lais is silent regarding a "support bridge." Lais teaches a thermal printhead 29, (see col 3, lines 35-36 and lines 55-62). However, Lais does not teach a support bridge for supporting said thermal print head, said support bridge being pivotably responsive to a spring action, fixed to said top panel, as claimed. Lais discloses the thermal printhead is arranged on a heat sink rather than a pivotal bridge.

One of ordinary skill in the art would not find a rationale to combine the two references to provide the claimed invention since the arrangements taught in each reference cannot be reasonably combined to provide the claimed invention.

Claims 2-13 are allowed since they depend from an allowed base claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Specification:

After line 1, inserted --This is a continuation of PCT/EP02/00433, filed
01/17/2002.--

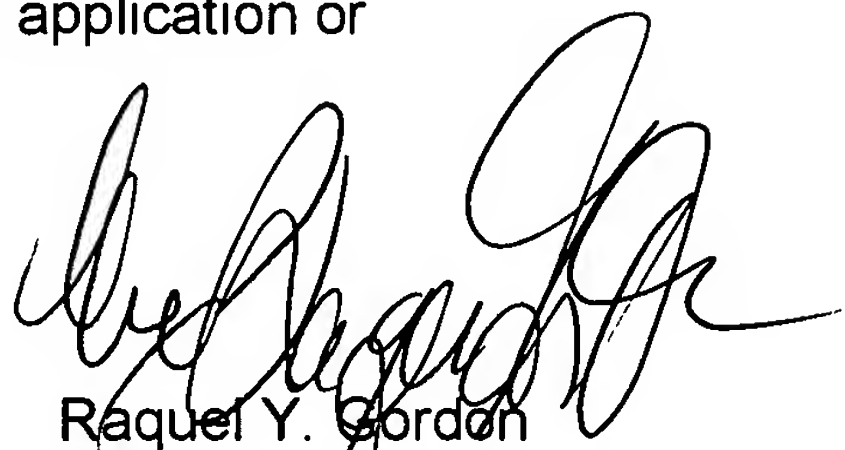
This amendment was made in order to place the Application in proper form.

Contact Information

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Raquel Y. Gordon, whose telephone number is (571) 272-2145. The Examiner can normally be reached on M Tu Th and F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. A fax number is available upon request.

Any inquiry of a general nature or relating to the status of this application or proceeding may be directed to the Examiner or Supervisor.



Raquel Y. Gordon
Primary Examiner
Art Unit 2853
September 13, 2004